FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO. 4161 OF 2006
IN
FIRST APPEAL NO. 2219 OF 2006

Office notes, office Memoranda of appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's Orders

Mr. J. S. Chandani for applicant

Mr. K. D. Kagtala for the respondent

CORAM: SMT. RANJANA DESAI &
SMT.V.K. TAHILRAMANI, JJ.

20/10/06

P.C.:-

Heard learned counsel for the parties. The learned counsel for the respondents states that respondent 2 Ami has to get married on 3rd February, 2007, hence respondent 1 requires money. We are informed that the appellant has deposited Rs.34,47,454/- in the trial court.

In our opinion, in the circumstances of the case following

order will meet the ends of justice;

a) We direct that respondent 1 can withdraw an amount of Rs.15 lakhs without security. Needless to say that the moment she withdraws this amount, the interest liability on that amount of Rs.15 lakhs shall cease to operate and the appellant will not be liable for any interest amount on that sum of Rs.15 lakhs from the date of withdrawal.

b) The trial court is directed to invest rest of the amount in any nationalised bank on usual terms. Needless to say that that amount will be subject to the final decision which may be passed in this appeal. Civil application is disposed of in the aforestated terms.